

DEPARTMENT OF CORPORATIONS*California's Investment and Financing Authority*

Sacramento, California



COMPLIANCE SURVEY REGARDING THE
CALIFORNIA FINANCIAL INFORMATION PRIVACY ACT
Financial Code Section 4050, et seq., SB 1 (Chap. 241, Stats. 2003)

GENERAL CONTACT AND LICENSE INFORMATION

Please complete the following:

Name of Licensee:

License Number: _____

Address: _____

Phone: _____

Contact Person (For Questions Concerning This Survey): _____

Designate Your License: (Please place an "X" by appropriate license/s)

Check Seller/Bill Payer/Prorater (Check Sellers, Bill Payers, Proraters Law)

Deferred Deposit Originator (Deferred Deposit Transaction Law)

Escrow Agent (Escrow Law)

Finance Lender/Broker (Finance Lenders Law)

Residential Mortgage Lender/Service (Residential Mortgage Lending Act)

Investment Adviser (Registered Under Federal Securities Law)

Investment Adviser (Registered Under State Securities Law)

Securities Broker-Dealer (State Securities Law)

Other (specify) _____

♦ Securities ♦ Franchises ♦ Off-Exchange Commodities ♦ Investment and Financial Services ♦
♦ Independent Escrows ♦ Consumer and Commercial Finance Lending ♦ Residential Mortgage Lending ♦

SACRAMENTO 95814-4052
1515 K STREET, SUITE 200
(916) 445-7205

SAN FRANCISCO 94105-2980
71 STEVENSON STREET, SUITE 2100
(415) 972-8559

LOS ANGELES 90013-2344
320 WEST 4TH STREET, SUITE 750
(213) 576-7500

SAN DIEGO 92101-3697
1350 FRONT STREET, ROOM 2034
(619) 525-4233

1-866-ASK-CORP**www.corp.ca.gov****1-866-275-2677**

COMPLIANCE SURVEY

On July 1, 2004, the California Financial Information Privacy Act (Financial Code Section 4050, et seq.) became operative. This law provides California consumers with important privacy rights.

Under this law, a financial institution (e.g. licensee regulated by the Department of Corporations) cannot share, transfer, sell or otherwise disclose a consumer's nonpublic personal information without first obtaining a consumer's consent.

If the financial institution seeks to share a consumer's information with a non-affiliated third party, the financial institution must first obtain the consumer's written consent on a form that meets certain statutory requirements.

The following information is being gathered through the Department's examination process to determine compliance with the California Financial Information Privacy Act.

Part I - Compliance

Please place an "X" by one of the two responses below:

We do not share or disclose a consumer's nonpublic personal information in a manner that would give rise to the requirement that we obtain the express written consent of the consumer ("opt-in") prior to sharing information with non-affiliated third parties

NOTE: If you checked this box, skip Parts II through IV below, and complete only the verification in Part V.

We do share or disclose a consumer's nonpublic personal information in a manner that would give rise to the requirement that we obtain the express written consent of the consumer ("opt-in") prior to sharing information with non-affiliated third parties.

NOTE: If you checked this box, complete Parts II, III, IV, and V below.



Part II – Complaint Handling

Since July 1, 2004, we have received _____ complaints from California consumers regarding the disclosure of nonpublic personal information.

(NOTE: If you have received this type of complaint, please maintain a written description of how each complaint has been resolved and maintain this written description as part of your company's books and records, and make it available upon request of an examiner during your company's next examination.)

Part III – Written Consent Form

	Yes	No
Are you obtaining the <u>written</u> consent of California consumers (allowing them to “opt-in”) prior to sharing their nonpublic personal information with nonaffiliated third parties as required by the California Financial Information Privacy Act?		

Part IV – Internal Controls and Procedures

	Yes	No
Do you have policies and procedures in place to ensure compliance with the California Financial Information Privacy Act?		
Do you have a designated compliance officer to ensure compliance with the California Financial Information Privacy Act?		
Do you have a complaint process related to the California Financial Information Privacy Act?		
Do you provide employee education on the California Financial Information Privacy Act?		

(NOTE: If you answered “yes” to any of the questions in Parts III or IV, please maintain all related documentation as part of your business books and records, and such documentation should be made available to the Department upon request.)

Part V - Person Verifying Accuracy of the Information

I verify that the information provided to the Department of Corporations is true and accurate to the best of my knowledge.

Signature

Name of Signatory (print)

Title

Date

Telephone

E-Mail